

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

PLAINTIFFS #1-20, individually and on behalf, of all
others similarly situated,

Plaintiff,

PROPOSED VERDICT SHEET

-against-

THE COUNTY OF SUFFOLK, SUFFOLK COUNTY
POLICE COMMISSIONER EDWARD WEBBER,
LIEUTENANT MILAGROS SOTO, and SCOTT
GREENE,

15-cv-2431(WFK)(LB)

Defendants.

**THE COUNTY DEFENDANTS SUBMIT THIS PROPOSED VERDICT SHEET TO BE
USED FOR EACH INDIVIDUAL PLAINTIFF**

FIRST CAUSE OF ACTION – FOURTH AMENDMENT VIOLATION

- 1) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant Scott Greene violated his rights to be free from an unlawful traffic stop?

____ YES

____ NO

IF YOU ANSWERED “YES” TO QUESTION 1, GO TO QUESTION 2.

IF YOU ANSWERED “NO” TO QUESTION 1, GO TO QUESTION 4.

- 2) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant Edward Webber is responsible for the violation of the Fourth Amendment by defendant Scott Greene based on a theory of supervisory liability?

____ YES

____ NO

- 3) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant Milagros Soto is responsible for the violation of the Fourth Amendment by defendant Scott Greene based on a theory of supervisory liability?

____ YES

____ NO

SECOND CAUSE OF ACTION – FOURTEENTH AMENDMENT
DUE PROCESS VIOLATION

- 4) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant Scott Greene violated his rights to due process under the Fourteenth Amendment?

____ YES

____ NO

IF YOU ANSWERED “YES” TO QUESTION 4, GO TO QUESTION 5.

IF YOU ANSWERED “NO” TO QUESTION 4, GO TO QUESTION 7.

- 5) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant Edward Webber is responsible for the violation of due process by defendant Scott Greene based on a theory of supervisory liability?

____ YES

____ NO

- 6) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant Milagros Soto is responsible for the violation of due process by defendant Scott Greene based on a theory of supervisory liability?

____ YES

____ NO

THIRD CAUSE OF ACTION – FOURTEENTH AMENDMENT
EQUAL PROTECTION VIOLATION

- 7) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant Scott Greene violated his rights to equal protection under the Fourteenth Amendment?

____ YES

____ NO

IF YOU ANSWERED “YES” TO QUESTION 7, GO TO QUESTION 8.

IF YOU ANSWERED “NO” TO QUESTION 7, GO TO QUESTION 10.

- 8) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant Edward Webber is responsible for the equal protection violation by defendant Scott Greene based on a theory of supervisory liability?

____ YES

____ NO

- 9) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant Milagros Soto is responsible for the equal protection violation by defendant Scott Greene based on a theory of supervisory liability?

____ YES

____ NO

FOURTH CAUSE OF ACTION – CLAIM AGAINST SUFFOLK COUNTY

**IF YOU ANSWERED “YES” TO ANY OF QUESTIONS 1, 4 or 7 ANSWER QUESTION 10.
IF YOU ANSWERED NO QUESTIONS 1, 4, and 7 GO TO QUESTION 12.**

- 10) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant County of Suffolk had a policy or custom to discriminate against Hispanics in traffic stops on a County wide basis?

____ YES

____ NO

IF YOU ANSWERED “YES” TO QUESTION 10, GO TO QUESTION 11.

IF YOU ANSWERED “NO” TO QUESTION 10, GO TO QUESTION 12.

- 11) Has Plaintiff # ____ proven by a preponderance of the evidence, that the County of Suffolk policy or custom to discriminate against Hispanics in traffic stops on a County wide basis was the proximate cause of the constitutional violations committed by Scott Greene?

____ YES

____ NO

FIFTH CAUSE OF ACTION – TITLE VI CLAIM

- 12) Has Plaintiff # ____ proven by a preponderance of the evidence, that defendant County of Suffolk intentionally discriminated against him based upon race, color or national origin?

____ YES

____ NO

IF YOU ANSWERED “YES” TO QUESTION 12, GO TO QUESTION 13.

IF YOU ANSWERED “NO” TO QUESTION 12, AND YOU ANSWERED “YES” TO ANY OF QUESTIONS 1, 4 or 7 GO TO QUESTION 14. IF YOU ANSWERED “NO” TO QUESTIONS 1, 4, and 7 STOP. SIGN AND DATE THE VERDICT SHEET AND INFORM THE COURTROOM DEPUTY THAT YOUR DELIBERATIONS ARE COMPLETE AND THAT YOU HAVE REACHED A VERDICT.

- 13) Has Plaintiff # ____ as a representative of the class, proven by a preponderance of the evidence, that defendant County of Suffolk had a policy or custom to discriminate against Hispanics in traffic stops on a County wide basis?

____ YES

____ NO

DAMAGES

ONLY ANSWER THE QUESTIONS ON DAMAGES IF YOU ANSWERED YES TO ANY OF QUESTIONS 1, 4, or 7.

14) Compensatory Damages

If you found that defendant Scott Greene engaged in conduct which caused plaintiff to suffer damages, state in dollars the amount of compensatory damages plaintiff suffered as a result of the conduct of the officer.

\$ _____

If you found that defendant Edward Webber engaged in conduct which caused plaintiff to suffer damages, state in dollars the amount of compensatory damages plaintiff suffered as a result of the conduct of the officer.

\$ _____

If you found that defendant Milagros Soto engaged in conduct which caused plaintiff to suffer damages, state in dollars the amount of compensatory damages plaintiff suffered as a result of the conduct of the officer.

\$ _____

15) Punitive Damages

Has plaintiff proven by a preponderance of the evidence that defendant Scott Greene acted willfully, maliciously, wantonly or with reckless disregard for the plaintiff's constitutional rights?

Yes_____ No_____

Has plaintiff proven by a preponderance of the evidence that defendant Edward Webber acted willfully, maliciously, wantonly or with reckless disregard for the plaintiff's constitutional rights?

Yes_____ No_____

Has plaintiff proven by a preponderance of the evidence that defendant Milagros Soto acted willfully, maliciously, wantonly or with reckless disregard for the plaintiff's constitutional rights?

Yes_____ No_____

IF YOU ANSWERED YES TO ANY OF QUESTION # 15, GO ON TO ANSWER QUESTION # 16. IF YOU ANSWERED NO TO QUESTION # 15, GO ON TO ANSWER QUESTION # 17.

16) Amount of Punitive Damages

State in dollars the amount of punitive damages, if any, Plaintiff #____ is entitled to recover against defendant Scott Greene.

\$_____

State in dollars the amount of punitive damages, if any, Plaintiff #____ is entitled to recover against defendant Edward Webber.

\$_____

State in dollars the amount of punitive damages, if any, Plaintiff #____ is entitled to recover against defendant Milagros Soto.

\$_____

17) Nominal Damages

\$_____

Please sign and date the verdict sheet and inform the courtroom deputy that your deliberations are complete and that you have reached a verdict.

Foreperson

Dated: Brooklyn, New York

August _____, 2022